Lastly, provision had also to be made to enable the *kudiyans* to partition their holdings and to require the *jenmies* to receive proportionate *michavaram* from the shareholders, provided due notice of partition were given to the former.

DEWAN'S REPLY: Mr. Velayudhan Pillai, your opening remarks made me think that you were coming forward with a scheme of warm benevolence towards the *jenmies* and the *kudiyans*. By the time you proceeded, I discovered that the *jenmies* had been forgotten and the *kudiyans*' cause alone was advanced. The whole trend of your proposals seemed to me that the Government should shoulder all sorts of burdens, undertake all sorts of duties, act as guarantors, in all sorts of directions, to help the helpless and simple-minded *kudiyans*. As early as possible it will be for the Legislative Council to decide. There is, as you know, a Jenmi Kudiyan Bill which will shortly come before the Council. It has already been drafted. Numerous petitions have recently come in both from the *jenmies* and from helpless *kudiyans*, and both marshal very strong reasons and present their case very ably. All this is now being examined by the Government's legal advisers and I have not the slightest doubt that in course of time they will put forward definite proposals which the Government will be able to lay before the Legislative Council for further consideration.

20. Ezhavas and the Legislative Council.

MR. K. NARAYANA PANIKKAR (*Member, Nominated*) observed that the Ezhavas had begun to feel their political disabilities and that their constitutional agitation was the result of that realisation. Their attempts to get due representation on the Legislative Council had proved vain. In the two last general elections, their candidates contested two seats from the general constituencies, but were defeated. The reasons for their defeat were primarily that the Ezhavas did not form the majority of voters in any one single constituency; and secondly, communal considerations and prejudices prevented them from getting votes from outside their caste or religion. The second obstacle could hardly be expected to cease to operate in the near future. The first difficulty could, however, be surmounted if the Government introduced universal franchise, without property qualification. As a first step in reaching that ideal, it would be advisable to broaden the franchise by reducing the property qualification. All who paid a land tax of one rupee should be eligible to vote. The total amount of land tax and house tax amounted only to 25 per cent. of the whole State revenue. A franchise system based on such tax was unjust to the people contributing the remaining 75 per cent. of the revenue. Further, it was the privilege of every subject and every community to have an opportunity for serving the State and the people at large through the Legislative Council and other representative institutions. The Government had realised that and had resorted to nominations. But, for obvious reasons, nominations could not ensure representation. The Government formed the electorate, so to speak, for this purpose; and the nominated members were generally influenced by the opinions of the Government.

So far as the Ezhavas were concerned, the eligible voters among them were widely and ineffectually scattered throughout the State and they could not therefore secure due representation. Constituting, as they did, one-sixth of the total population of the State, they were on that basis eligible for four seats in the Council. But the Government were nominating only two members in the past.

The member therefore requested the Government to accept any one of the following suggestions in view to redress the grievances of his community:—

(1) Separate electorate be formed for the Ezhavas, as in Cochin and in British India where Mahomedan electorates had been formed, at least as a tentative measure, till caste prejudices vanished or till universal franchise was granted.

(2) The requisite number of seats be reserved for the Ezhavas in the general electorate by clubbing together two or more taluks and reserving a seat for an Ezhava from that constituency.

(3) The S. N. D. P. Yogam, the only accredited representative organisation for the Ezhavas, be empowered to nominate the requisite number of represntatives.

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The first suggestion would be more beneficial to the community as, in the case of a rural constituency, the results would be influenced more by the votes of other communities.

When the matter was brought to the notice of the previous Dewan after the first general elections, he asked the Ezhavas to wait and try their chance a second time. He promised also to accept one of the suggestions or devise other means for protecting their interests if they were disappointed a second time. Now that they had failed again in all the constituencies in which their men stood for election, the member prayed for the early consideration of the matter.

DEWAN'S REPLY: Mr. Narayana Panikkar, you would advocate a radical change in the electoral system for the Travancore Legislative Council. After all, the present system has not been very long in force, and it is too soon, in my opinion, to draw any general conclusions from the recent elections. Tendencies have still to be developed and the electorate has to grow responsible. It is true that Ezhavas did not get in by election to the Legislative Council; but their candidates had considerable votes and that indicates that they are not going to be neglected by the electorate. I am sure you will agree with me that the community itself will see that it is not neglected. To my mind it is a very much more honourable and edifying thing to be elected by members of all communities than to be sent up by a narrow electorate of one community alone. However, as I said, it is much too soon to draw deductions from the last election and make pronouncements upon the elections and the electoral system, because we have not had time enough to study it. The time will come, I daresay, when we will have to go into the whole question, I myself am beginning to feel that the present electoral system is not entirely satisfactory. But, I am not going to plunge headlong into it, simply because it seems to me that today there is something wrong. Tomorrow it may seem all right. So, let us wait for some time. Meanwhile, you may rest assured that the Ezhavas will not remain unrepresented in the Legislative Council. They will continue to be represented in the Council, if not by election, at least by nomination.

MEMBER: We do not want nomination.

DEWAN: Certainly, you may remain unrepresented.

21. Misradayis and the Ezhava Regulation.

MR. K. R. PADMANABHAN VAIDYAN (*Member, Nominated*) spoke about the hardships caused to the *Misradayis* on account of the Ezhava Regulation. By *Misradayis* he meant all Ezhavas residing in the taluks south of Quilon and following the *Misradayi* law of succession, whether exempted from the Ezhava Regulation or not. When the Regulation was passed, the Government were led to understand that the *Misradayis* formed a small minority. But the number of families exempted from the operation of the Regulation would have convinced the Government that they were misled. The effect of the exemption granted was that the provisions of the Ezhava Regulation relating to partition of *tarwad* property would not apply to the exempted families. The exemption was not of lasting benefit to the Ezhavas as, at any moment, the exempted families could forsake the *Misradayi* law and become *Makkattayis* under Section 33 of the Regulation. Unless, therefore, the *Misradayis* were absolutely prevented from becoming *Makkattayis*, no transfers of property could take place and all the properties now declared to be impartible would in course of time became partible.

Till the passing of the Ezhava Regulation, the right to family property was vested in the female members. The male members had but the right to claim maintenance. But the Regulation conferred on the male members rights of ownership to such property. The female members of the several families were not made to understand that feature of the Regulation, and they were the real sufferers on account of the Regulation. It was barely two years since the Regulation was passed but the number of crimes committed as a result of family feuds in connection with partition of property was large.

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